



AF/1600\$
JC10 Rec'd PCT/PTO 09 JAN 2002

Docket No: 48075-B-PCT-US/JPW/AJM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Timothy H. Bestor

Serial No.: 09/051,013

Group Art Unit: 1633

Filed : October 9, 1998

Examiner: J. Kerr

For : CHIMERIC DNA-BINDING/DNA METHYLTRANSFERASE
NUCLEIC ACID AND POLYPEPTIDE AND USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
October 23, 2001

TECH CENTER 1600/2900

JAN 17 2002

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231
Box AF

SIR:

**NOTICE OF APPEAL FROM THE EXAMINER'S
DECISION TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES AND REQUEST FOR A THIRD-MONTH EXTENSION OF TIME**

Applicant hereby appeals to the Board from the decision of the Examiner mailed April 23, 2001 finally rejecting pending claims 1, 4, 6-12, 15, 16, 24-28, 30-33 and 42-46 in connection with the above-identified application.

Applicant also hereby requests a third-month extension of time for filing a response to the April 23, 2001 Final Office Action issued in connection with this application. A response to the Office Action was originally due July 23, 2001. Applicant filed an Amendment In Response To April 23, 2001 Final Office Action And Petition For A Two-Month Extension Of Time, and paid \$155.00 for a two-month extension of time, on September 24, 2001. The fee for a third-month extension of time is TWO HUNDRED AND NINETY DOLLARS (\$290.00) for a small entity. The required fee for filing a Notice of Appeal under 37 C.F.R. §1.17(e) is ONE HUNDRED AND FIFTY-FIVE DOLLARS (\$155.00) for a small entity. Applicant

01/16/2002 GTEFFERA 00000040 09051013

| | |
|-----------|-----------|
| 01 FC:219 | 160.00 OP |
| 02 FC:217 | 260.00 OP |
| 03 FC:998 | 25.00 OP |

Applicant: Timothy H. Bestor
Serial No.: 09/051,013
Filing Date: October 9, 1998
Page 2

encloses herewith a check for \$445.00, which amount includes the \$290.00 extension fee and \$155.00 Notice of Appeal fee. A response to the April 23, 2001 Final Office Action is now due today, October 23, 2001, and thus, this Notice of Appeal is being timely filed.

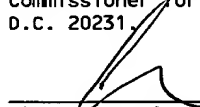
No fee, other than the \$445.00 sum, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Alan J. Morrison
Registration No. 37,399
Attorneys for Applicant
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


Alan J. Morrison
Reg. No. 37,399

10/23/01
Date